

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DARRELL RASHARD EWING,

Plaintiff,

v.

Case No. 4:22-cv-12127

District Judge Shalina D. Kumar

Magistrate Judge Kimberly G. Altman

RAPHAEL WASHINGTON, et al.,

Defendants.

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**ORDER**  
**EXTENDING DATE FOR PLAINTIFF TO FILE A RESPONSE TO**  
**DEFENDANTS' MOTION TO DISMISS**  
**AND**  
**DIRECTING DEFENDANTS TO MAIL A COPY OF THEIR MOTION TO**  
**PLAINTIFF'S CORRECT ADDRESS**

This is a prisoner civil rights case. On April 12, 2024, defendants filed a motion to dismiss or for summary judgment, (ECF No. 22). On April 15, 2024, the Court ordered plaintiff to file a response to the motion by May 17, 2024. (ECF No. 23). However, on May 7, 2024, the order requiring plaintiff to file a response was returned to the Court as undeliverable. (ECF No. 24). According to a staff note on the docket dated May 9, 2024, the Clerk "Corrected Plaintiff's address per ECF 7. Added prisoner number and corrected the Division for Wayne County Jail."

It therefore appears that due to a Clerk's Office error regarding plaintiff's

address, plaintiff may not have received the Court's order requiring a response to defendants' motion. Under the circumstances, plaintiff will be given an extension of time to file a response.

Accordingly, **plaintiff shall file a response to defendants' motion on or before June 13, 2024.**

Additionally, because plaintiff may not have received a copy of defendants' motion, defendants counsel shall remail a copy of the motion to plaintiff's now corrected address of record immediately upon receipt of this order.

Finally, plaintiff is cautioned that a failure to file a timely response to defendants' motion may result in a recommendation that defendants' motion be granted.

SO ORDERED.

Dated: May 13, 2024  
Detroit, Michigan

s/Kimberly G. Altman  
KIMBERLY G. ALTMAN  
United States Magistrate Judge

### **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 13, 2024.

s/Julie Owens  
Acting in the absence of  
CAROLYN CIESLA  
Case Manager